

STATE OF MAINE  
OFFICE OF SECURITIES  
121 STATE HOUSE STATION  
AUGUSTA, ME 04333

IN RE:

Startup Essentials, LLC

NOTICE OF INTENT  
07-009

ALLEGATIONS

1. Startup Essentials, LLC (“Startup Essentials”) registered as a limited liability company in Texas on May 16, 2006. Its address is 4455 LBJ Freeway, Suite 501, Dallas, Texas 75244. Startup Essentials’ registered agent is Robert Harris, located at the same address.
2. According to its website, Startup Essentials offers a program that “gives you the essential foundations for a successful business venture. Packed with both online and offline training, you'll learn step-by-step exactly what it takes to succeed.”
3. In or around August 2006, a Maine resident contacted Startup Essentials because she was interested in starting a business she could operate from her home.
4. On August 5, 2006, the Maine resident signed an electronic agreement to purchase the Startup Essentials program. Under the contract, she was obligated to pay \$140.00 per month for 48 months.
5. Upon further consideration, the Maine resident decided that she did not want to purchase the program and so she contacted Startup Essentials to terminate the contract. Startup Essentials initially refused her request; however, after the Office contacted Startup Essentials, the company agreed to release her from the contract.
6. The seller of a business opportunity is required to register with the administrator prior to selling, offering to sell, advertising or undertaking any other act relating to the promotion of business opportunities in Maine. 32 M.R.S.A. § 4696.
7. At no time has Startup Essentials been registered as a business opportunity in Maine.

8. Pursuant to 32 M.R.S.A. § 4692, the seller of a business opportunity is required to provide all purchasers with a disclosure statement meeting the requirements of 32 M.R.S.A. § 4691 *et seq.*
9. The Maine consumer never received any form of disclosure statement from Startup Essentials.
10. Under 32 M.R.S.A. § 4699(1), it is unlawful for any seller of a business opportunity to fail to comply with any provision of 32 M.R.S.A. § 4691 *et seq.*, including, but not limited to:
  - a. Failing to register pursuant to 32 M.R.S.A. § 4696 and 4697, and
  - b. Failing to provide all purchasers of the business opportunity with the disclosure statement required by 32 M.R.S.A. § 4692.
11. On August 10, 2006, the Office sent a certified letter to Startup Essentials notifying it that it had been selling, offering to sell, and advertising business opportunities in the State of Maine in violation of Title 32, Chapter 69-B, the *Regulations of the Sale of Business Opportunities*. The letter also requested that Startup Essentials provide a list of all Maine persons who had purchased its business opportunity and it advised Startup Essential that the company must refrain from soliciting Maine residents until the company was fully compliant with the *Regulations*.
12. Startup Essentials has not provided the Office with the requested information, nor has it provided the Office with an assurance that it would refrain from soliciting Maine residents, despite a request from the Office that it provide such an assurance.
13. For the reasons stated above, the Administrator reasonably believes that Startup Essentials has engaged, is engaging or is about to engage in acts or practices constituting violations of 32 M.R.S.A §4691 *et seq.*
14. Whenever it appears to the Administrator that any person has engaged in or is about to engage in any act or practice constituting a violation of 32 M.R.S.A. § 4691 *et seq.*, the Administrator may issue an order directing the person to cease and desist from continuing the act or practice. 32 M.R.S.A. § 4700(5).

## NOTICE

Pursuant to 32 M.R.S.A. § 4700(5), notice is hereby given that the Administrator intends to issue an Order to Cease and Desist against Startup Essentials to prohibit further violations of 32 M.R.S.A. § 4691 *et seq.*

If Startup Essentials wants to request a hearing in this matter, it must do so in writing within thirty (30) calendar days from the date of this Notice of Intent. 32 M.R.S.A. § 4700(5).

Date: November 27, 2006

s/Michael J. Colleran

Michael J. Colleran  
Securities Administrator

Reviewed by:

Date: November 27, 2006

s/Bonnie E. Russell

Bonnie E. Russell  
Assistant Securities Administrator

Presented by:

Date: November 27, 2006

s/Jacqueline M. Drouin

Jacqueline M. Drouin  
Investigator / Examiner